

**As below-named inventors, we hereby declare that:**

We believe we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled MULTIVITAMIN FORMULATIONS FOR PROMOTING HEALTHY COLLAGEN, AND METHODS OF THEIR USE, which is identified in the United States Patent Office by Serial No. 10/725,692, filed December 2, 2003.

We hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Number	Country	Day/Month/Year Filed	Priority Claimed	
None			Yes	No
			Yes	No

Appln. Ser. No.	Filing Date	Status: patented, pending, abandoned
None		

We hereby appoint the following attorneys and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Mark W. Binder, Reg. No. 32,642; Dale A. Bjorkman, Reg. No. 33,084; Michael A. Hakamaki, Reg. No. 40,011; Amy J. Hoffman, Reg. No. 35,897; Kevin J. Hubbard, Reg. No. 50,717; Kimberly S. Jordahl, Reg. No. 40,998; David B. Kagan, Reg. No. 33,406; Paul John Parins, Reg. No. 54,358, Daniel C. Schulte, Reg. No. 40,160; Karrie G. Weaver, Reg. No. 43,245; and Paul L. Weaver, Reg. No. 48,640.

Address all correspondence to: Daniel C. Schulte, Kagan Binder, PLLC, Suite 200, Maple Island Building, 221 Main Street North, Stillwater, Minnesota 55082; telephone 651-351-2900.

We hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first joint inventor: Kenneth L. Evenstad

Inventor's signature: \_\_\_\_\_

4-17-2004  
Date

Residence: 3800 Rum Row, Naples, Florida 34102

P.O. Address: Same

Citizenship: United States of America

Full name of second joint inventor: Lori M. Freese

Inventor's signature: \_\_\_\_\_

\_\_\_\_\_  
Date

Residence: 9621 Gillard Avenue, Monticello, Minnesota 55362

P.O. Address: Same

Citizenship: United States of America

Full name of third joint inventor: Harish K. Pimplaskar

Inventor's signature: \_\_\_\_\_

\_\_\_\_\_  
Date

Residence: 315 Academia Court, Durham, North Carolina 27713

P.O. Address: Same

Citizenship: United States of America

## **§1.56 Duty to disclose information material to patentability.**

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

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- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
- (2) It refutes, or is inconsistent with, a position the applicant takes in:
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(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) Each inventor named in the application;
- (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.



**COMBINED DECLARATION AND POWER OF ATTORNEY**  
**IN ORIGINAL APPLICATION**

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We hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, we acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

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Full name of first joint inventor: Kenneth L. Evenstad

Inventor's signature: \_\_\_\_\_ Date \_\_\_\_\_

Residence: 3800 Rum Row, Naples, Florida 34102

P.O. Address: Same

Citizenship: United States of America

Full name of second joint inventor: Lori M. Freese

Inventor's signature: Lori M. Freese Date 4/13/04

Residence: 9621 Gillard Avenue, Monticello, Minnesota 55362

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Full name of third joint inventor: Harish K. Pimplaskar

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